

Project No: 4225

Project Name: South Park Victoria Drive Pavement Rehabilitation

14

DRAFT

**AMENDMENT TO AGREEMENT
FOR CONSULTATION AND OTHER SERVICES**

This Amendment is entered into this 6 day of September 2005 by and between the City of Milpitas, a municipal corporation of the State of California (hereafter referred to as "CITY") and HMM Engineers (hereafter referred to as "CONSULTANT").

RECITALS

WHEREAS, the parties entered into an Agreement for professional Engineering services for South Park Victoria Drive Pavement Rehabilitation, Project No. 4225, on February 15, 2005; and

WHEREAS, the parties desire to amend the Agreement to allow CONSULTANT to provide additional professional engineering for South Park Victoria Drive Pavement Rehabilitation.

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the parties agree to amend the Agreement as follows:

1. The first sentence in Subsection 1.1, entitled "Term of Services" is amended to read:

The term of this Agreement shall begin on the date first noted above and shall end on **February 1, 2006**.

2. Section 1, entitled "Services" is amended by adding Exhibit "A-1", which is attached hereto and incorporated by reference herein.
3. Section 2, entitled "Compensation" is amended to add Exhibit "A-1", which is attached hereto and incorporated by reference herein. Section 2 is further amended by adding the following to the end of the Section:

The compensation for the services set forth in Exhibit "A-1" is a "not to exceed" amount. The total maximum amount of compensation to be paid for tasks outlined in Exhibit "A-1" shall be **\$38,000.00**.

4. The Consultant agrees to maintain and pay for all insurance policies as stated in Section 4, entitled "Insurance Requirements" of the Agreement dated **February 15, 2005**, between **HMM Engineers** and the City of Milpitas. The Consultant shall provide the City with renewal certificates of the current policies upon the expiration of the current policy.

5. All other provisions of the Agreement shall remain in full force and effect.
This Amendment is executed as of the date written above.

APPROVED BY:

CITY OF MILPITAS

CONSULTANT

City Engineer as to content

City Manager

City Attorney as to Form

ATTESTED BY:

City Clerk

EXHIBIT A-1



William J. Wagner | Thomas A. Armstrong | Michael L. Morsilli | David M. Wilson | James E. Thompson

RECEIVED

AUG 25 2005

August 24, 2005
Job No. 3403.00
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CITY OF MILPITAS
ENGINEERING DIVISION

DRAFT

Jimmy Nguyen
City of Milpitas
455 E. Calaveras Boulevard
Milpitas, CA 95035

Re: South Park Victoria Dr. Pavement Rehabilitation Project – Additional Services

Dear: Jimmy

HMH Engineers is pleased to submit the following proposal items at the City's request. Scope, fee, and schedule of additional services are outlined below:

ADDITIONAL SCOPE OF SERVICES

The following outlines necessary tasks to incorporate City requested items into the project scope including project plans, specifications, and estimate as they pertain to the existing South Park Victoria Dr. Pavement Rehabilitation contract.

Task Item 1: Include Calaveras Blvd. into PS&E for South Park Victoria Rehabilitation

- Develop additional contract documents to rehabilitate Calaveras Blvd. between I-680 ramps to South Park Victoria Dr. Include all necessary median improvements, surface improvements, pavement grinding, striping, pavement inlays and overlays such that the roadway will maintain its existing vertical alignment and lane configuration. The following will be updated to incorporate these improvements:
 - Plans - Cover Sheet, Removal / Street Improvement plan, Typical Section, Traffic Striping plan, Lane Closure plan and Construction Details
 - Quantities, Estimate and Technical Specifications
 - Topo Field Survey
 - Drainage and Utility Review
 - Right-of-Way Investigation
 - Oversight and Coordination
- This task would not include any geotechnical investigation

Task Item 2: ADA Compliant Pedestrian Facilities

- Revise improvement plans, specifications, estimate and details to incorporate pedestrian ramp improvements at all street intersections within project limits per Local Assistance Memo regarding resurfacing, restoration, and rehabilitation (RRR) Alterations

SAN JOSE
1570 Oakland Road
San Jose, California 95131
(408) 297-0000

GILROY
7888 Wren Avenue, Bldg. B
Gilroy, California 95020
(408) 847-0000

Task Item 3: Study Feasibility of Providing Bicycle Lanes between Calaveras and Big Basin

- Prepare a preliminary striping plan to include the installation of bicycle lanes within the project
- In a Study, review any necessary existing facility upgrades or modifications impacted by the installation of the bicycle lanes such as drainage inlet grate replacements, traffic signal modifications including realignment of vehicle heads and traffic detection loops. Also include a raw-order-magnitude cost estimate for bicycle lane installation
- Findings will be presented to the City staff for comment and suggested comments implemented

Task Item 4: (Alternate) Incorporate Bicycle Lanes between Calaveras and Big Basin and Slurry Seal between Yosemite to Saratoga

- Develop PS&E for section of roadway between Yosemite and Saratoga to be Slurry Sealed and Striped
- Implement items identified in Task 3 for addition of Bicycle Lanes between Calaveras and Big Basin

Task Item 5: (Alternate) Design Service Request / Consultation Support Services

- Provide design service and consultation support to the City for resolving pending or potential project issues
- Provide support, discussion and clarification as to how the project may accommodate or incorporate desired changes to project.
- Services shall be engaged at the City's discretion and shall be funded as needed
- To engage services, City Staff may request HMM to submit a Design Services Request Form (DSR) indicating the estimated level of effort required to meet City Staff needs. Estimates for will be submitted to the City for review and approval prior to services being performed

FEE

The total estimated fee requested for the above task items is established as follows:

○ Task Item 1:	\$14,800
○ Task Item 2:	\$ 8,700
○ Task Item 3:	<u>\$ 5,800</u>
Sub-Total:	\$29,300
○ Task Item 4: (Alternate)	\$ 2,200
○ Task Item 5: (Alternate)	<u>\$ 6,500</u>
Total:	\$38,000

SCHEDULE

The level of effort required to complete Task Items 1 through 3 is estimated at 3 weeks. Alternative Task 4 will require 2 weeks to complete and any timeline for Task 5 will be established upon engagement. Notification-to-proceed for selecting these services require approximately two weeks lead-time prior to each task start date.

Please review this \$38,000 fee proposal and if acceptable, provide us with written authorization to proceed with these additional services. Should you have any questions, or need anything further, please feel free to contact me at 408-487-2200.

Very truly yours,

HMH ENGINEERS


John D. Kenyon, P.E.
Senior Engineer